

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hisatomo OHKI et al.  
Title: INHALATION TYPE MEDICATION APPARATUS  
Appl. No.: Unassigned  
Filing Date: 12/08/2005  
Examiner: Unassigned  
Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

**RELEVANCE OF EACH DOCUMENT**

The relevance of non-English language document A7 is described in the present specification.

Documents A2 and A7 belong to the same “patent family,” whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Documents A6 and A8-A10 listed on the attached PTO/SB/08 were cited as being relevant during a search of the corresponding International application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Documents A1 and A6 belong to the same “patent family,” whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Documents A3 and A8 belong to the same “patent family,” whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Documents A5 and A9 belong to the same “patent family,” whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Documents A4 and A10 belong to the same “patent family,” whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that

complies with the requirement for a "concise explanation of relevance" for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By



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Date December 8, 2005

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Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: December 8, 2005 <i>(use as many sheets as necessary)</i>				<b>APPROVED FOR PTO 08 DEC 2009</b> Application Number: Unassigned Filing Date: 12/08/2005 First Named Inventor: Hisatomo OHKI Group Art Unit: Unassigned Examiner Name: Unassigned Attorney Docket Number: 063137-0103	
Sheet	1	of	1		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	5,301,666		LERK ET AL.	04-12-1994	
	A2	5,715,811		OHKI ET AL.	02-10-1998	
	A3	5,797,392		KELDMANN ET AL.	08-25-1998	
	A4	6,105,574		JAHNSSON, MAGNUS	08-22-2000	
	A5	6,230,707	B1	HOERLIN, ERNST	05-15-2001	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A6	JP	05-245201	A	ASTA MEDICA AG	09-24-1993		Abst.
	A7	JP	07-313599	A	ATSUGI UNISIA CORP., ET AL.	12-05-1995		Abst.
	A8	JP	10-512478	A	ERIK KELDMANN ET AL.	12-02-1998		Abst.
	A9	JP	2001-187143	A	ERNST HOERLIN	07-10-2001		Abst.
	A10	JP	2001-510379	A	ASTRA AB, ET AL.	07-31-2001		Abst.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.